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5 OCT 26 2007

6 AT SEATTLE
7 CLERK U.S. DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON DEPUTY

9 BY

The Honorable Marsha Pechman



10 00-CV-01672-RCPT

11 UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE13 KENNETH HANKIN, JENNIFER HUDZIEC,
14 STEPHANIE LANE, and DENISE COOPER,
15 on behalf of themselves and all others similarly
16 situated,

17 Plaintiffs,

18 v.

19 THE CITY OF SEATTLE, a municipality,

20 Defendant.

21 No. C00-1672P

22 [PROPOSED] ORDER GRANTING
23 FINAL APPROVAL OF CLASS
24 SETTLEMENT AND DISMISSING THE
25 CLAIMS OF THE PLAINTIFFS AND
26 CLASS MEMBERS

27 THIS MATTER came before the Court on October 26, 2007, pursuant to proper notice
 28 for determination, to determine whether the Court should approve the proposed settlement set
 29 forth in the Settlement Agreement dated April 24, 2007 (the "Settlement Agreement"). The
 30 Court has considered Plaintiffs' Motion for Final Approval and the exhibits attached thereto, and
 31 all the papers filed and proceedings herein. The Court has determined that the Settlement should
 32 be approved as fair, reasonable, and adequate and hereby orders this final order, which
 33 constitutes a final adjudication of this matter on the merits as to Plaintiffs Kenneth Hankin,
 34 Jennifer Hudziec, Stephanie Lane and Denise Cooper, and the Class they represent. The Court
 35 hereby ORDERS that:

[PROPOSED] ORDER GRANTING FINAL
APPROVAL OF CLASS SETTLEMENT

- 1 -

Hagens Berman Sobol Shapiro LLP
1301 FIFTH AVENUE, SUITE 2900 • SEATTLE, WA 98101
TELEPHONE (206) 623-7292 • FACSIMILE (206) 623-0594

1 1. The Court has subject matter jurisdiction over the parties.
2 2. All defined terms contained herein shall have the same meanings as set forth in
3 the Settlement Agreement. In particular, the term "Class" shall have the meaning ascribed to it
4 in paragraph 1.f. of the Settlement Agreement, and this order shall not be construed as having
5 any affect on the rights, claims, or appeals of anyone who is not a member of the Class.

6 3. The Court hereby approves the settlement and finds that the settlement is fair,
7 reasonable, and adequate in all respects.

8 4. Plaintiffs' counsel shall deduct the amount awarded for attorneys' fees and
9 incentive awards, and then pay settlement awards to all Class Members who return a valid and
10 timely Claim Form, in accordance with paragraphs 6 and 10 of the Settlement Agreement.

11 5. This Court hereby dismisses the claims of Kenneth Hankin, Jennifer Hudziec,
12 Stephanie Lane and Denise Cooper, and the Class with prejudice. This order does not affect the
13 rights, claims, or appeals of any other Plaintiffs named in the complaint, or any individuals who
14 are not members of the Class.

15 6. The Notice distributed by first-class mail to the Class and the Published Notice,
16 taken together, and along with the electronic notices sent by Plaintiffs' counsel to Class
17 members, constitute the best notice practicable under the circumstances, including individual
18 notice to all members of the Class who could be identified through reasonable efforts. The
19 Notice distributed by first-class mail and the Published Notice, on their own, provided due and
20 adequate notice of these proceedings and of the matters set forth therein, including the
21 settlement, to all persons entitled to such notice, and those notices fully satisfied the
22 requirements of Fed. R. Civ. P. 23 and the requirements of due process.

23 7. The Court reserves jurisdiction, without affecting the finality of this judgment,
24 over (a) implementation and administration of the settlement; (b) any dispute between the parties
25 concerning the interpretation, application, or enforcement of the Settlement Agreement; and
26 (c) any post-final-judgment matters as may be appropriate under court rules.

1 IT IS SO ORDERED.
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3 Dated: Oct 26, 2007.

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7 THE HONORABLE MARSHA J. PECHMAN
8 United States District Court Judge

9 HAGENS BERMAN SOBOL SHAPIRO LLP
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By: /s/ Tyler S. Weaver
Steve W. Berman, WSBA No. 12536
Tyler S. Weaver, WSBA No. 29413
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
(206) 623-7292

Lead Counsel for Plaintiffs and the Class